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**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

The State, Respondent,

v.

Sterling Maybin, Appellant.

Appellate Case No. 2015-001585

Appeal From Newberry County
Frank R. Addy, Jr., Circuit Court Judge

Unpublished Opinion No. 2017-UP-319
Submitted June 1, 2017 – Filed August 2, 2017

AFFIRMED

Appellate Defender Laura Ruth Baer, of Columbia, for
Appellant.

Attorney General Alan McCrory Wilson and Assistant
Attorney General Susan Rane Saunders, both of
Columbia; and Solicitor David Matthew Stumbo, of
Greenwood, all for Respondent.

PER CURIAM: Affirmed pursuant to Rule 220(b), SCACR, and the following
authorities: *State v. Harris*, 382 S.C. 107, 117, 674 S.E.2d 532, 537 (Ct. App.
2009) ("The decision to grant or deny a mistrial is within the sound discretion of

the trial court. The trial court's decision will not be overturned on appeal absent an abuse of discretion amounting to an error of law." (citation omitted)); *State v. Stanley*, 365 S.C. 24, 34, 615 S.E.2d 455, 460 (Ct. App. 2005) (explaining a court should grant a mistrial only when "'absolutely necessary,' and a defendant must show both error and resulting prejudice in order to be entitled to a mistrial" (quoting *State v. Harris*, 340 S.C. 59, 63, 530 S.E.2d 626, 628 (2000))); Rule 404(b), SCRE ("Evidence of other crimes, wrongs, or acts is not admissible to prove the character of a person in order to show action in conformity therewith."); *State v. Page*, 378 S.C. 476, 482, 663 S.E.2d 357, 360 (Ct. App. 2008) ("It is firmly established that otherwise inadmissible evidence may be properly admitted when opposing counsel opens the door to that evidence."); *State v. Beam*, 336 S.C. 45, 53, 518 S.E.2d 297, 301 (Ct. App. 1999) ("A party may not complain of error caused by his own conduct."); *Page*, 378 S.C. at 483, 663 S.E.2d at 360 ("Whether a person opens the door to the admission of otherwise inadmissible evidence during the course of a trial is addressed to the sound discretion of the trial [court]."); *State v. McEachern*, 399 S.C. 125, 137, 731 S.E.2d 604, 610 (Ct. App. 2012) ("When a party introduces evidence about a particular matter, the other party is entitled to introduce evidence in explanation or rebuttal thereof, even if the latter evidence would have been incompetent or irrelevant had it been offered initially.").

AFFIRMED.¹

LOCKEMY, C.J., and HUFF and THOMAS, JJ., concur.

¹ We decide this case without oral argument pursuant to Rule 215, SCACR.



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

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August 2, 2017

Ms. Susan Ranée Saunders, Esquire
P.O Box 11549
Columbia SC 29205

Mrs. Laura Ruth Baer, Esquire
PO Box 11589
Columbia SC 29211-1589

Re: The State v. Sterling Maybin
Appellate Case No. 2015-001585

Dear Counsel:

Enclosed is the decision of the Court. The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jenny Abbott Kitchings".

CLERK

cc: David Matthew Stumbo, Esquire
Alan McCrory Wilson, Esquire
The Honorable Frank R. Addy, Jr.



State of South Carolina
The Circuit Court of the Eighth Judicial Circuit

Frank R. Addy, Jr.
Judge

Greenwood County Courthouse
528 Monument Street, Suite 210
Greenwood, SC 29646
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August 7, 2017

The Hon. Jenny A. Kitchings
Office of the Clerk
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

Re: State v. Sterling Maybin
2015-001585

Dear Ms. Kitchings,

I received the enclosed unpublished opinion in the above case, but I did not recall being the trial judge for Mr. Maybin. From a check of the Newberry Clerk's records, Judge Hocker is listed as the trial judge, and my notes do not reflect that I was in Newberry the week Mr. Maybin was convicted of his burglary charges.

You may want to double-check the appellate file to make sure the correct trial judge is listed in the opinion. Of course, being an unpublished opinion, it may not be terribly important. Thank you for your attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank R. Addy, Jr.", written over the word "Sincerely,".

Frank R. Addy, Jr.

Enclosures

Frank R. Addy, Jr., Judge
The Circuit Court of the Eighth Judicial Circuit
Greenwood County Courthouse
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Greenwood, South Carolina 29646

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SC Court of Appeals

The Hon. Jenny A. Kitchings
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